

BINGHAM McCUTCHEN

**Donald J. Savery**  
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**don.savery@bingham.com**

May 15, 2006

Bingham McCutchen LLP  
150 Federal Street  
Boston, MA  
02110-1726  
  
617.951.8000  
617.951.8736 fax

bingham.com

Boston  
Hartford  
London  
Los Angeles  
New York  
Orange County  
San Francisco  
Silicon Valley  
Tokyo  
Walnut Creek  
Washington

**By Fax & Mail**


Edward F. Haber, Esq.  
Shapiro, Haber & Urmey  
53 State Street, 37<sup>th</sup> Floor  
Boston, MA 02109

**Re: In re Biopure Corporation Securities Class Action**  
**Civil Action No. 1:03-cv-12628**

Dear Ed:

Enclosed please find notices of deposition for the named plaintiffs. On May 5, 2006, we requested available dates. You responded on May 11, 2006, giving us a date on which Mr. Erickson would be available in Boston, and Mr. Esposito would be available in New York. The enclosed deposition notices reflect those dates. However, we do not agree to conducting depositions of the named Plaintiffs, who have sued Biopure Corporation in Massachusetts, outside of the Commonwealth. As regards Mr. Erickson, we have, as you requested, noticed his deposition for May 31, 2006, with a 1:00 p.m. start time; please be prepared to produce Mr. Erickson at 10:00 a.m. the following morning, in case his deposition is not concluded before the close of business on May 31. Because we did not hear back from you relative to Mr. Gottlieb's or Ms. Bittman's schedules, we have selected dates in the first two weeks of June 2006.

Very truly yours,



Donald J. Savery

/caw

Enclosures

cc: Cathy A. Fleming, Esq.  
Christopher F. Robertson, Esq.  
Edward P. Leibensperger, Esq.

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

**IN RE BIOPURE CORPORATION  
SECURITIES LITIGATION**

) **Master Docket No. 1:03-CV-12628 (NG)**  
)  
)  
) **Assigned to Judge Nancy Gertner**  
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**BIOPURE CORPORATION'S NOTICE OF  
DEPOSITION OF RONALD ERICKSON**

PLEASE TAKE NOTICE THAT, pursuant to Rule 30 of the Federal Rules of Civil Procedure, Defendant Biopure Corporation will take the deposition upon oral examination of Plaintiff Ronald Erickson on May 31, 2006 at 1:00 p.m., at the offices of Bingham McCutchen LLP, 150 Federal Street, Boston, Massachusetts 02110, before a notary public or other officer authorized by law to administer oaths. The deposition will be recorded stenographically and will continue from day to day until completed.

You are invited to attend and cross-examine.

Dated May 15, 2006

BIOPURE CORPORATION,  
By its attorneys,

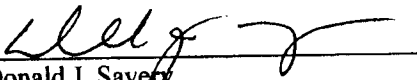
  
Robert A. Buhman (BBO #554393)  
Donald J. Savery (BBO #564975)  
Michael Blanchard (BBO #636860)  
BINGHAM McCUTCHEN LLP  
150 Federal Street  
Boston, MA 02110-1276  
(617) 951-8000

Counsel for Defendant Biopure  
Corporation

**CERTIFICATE OF SERVICE**

I hereby certify that on May 15, 2006, I caused a true copy of the foregoing Notice of Deposition of Ronald Erickson to be served by facsimile and mail upon Edward F. Haber, Esq., Shapiro, Haber & Urmey LLP, Exchange Place, 53 State Street, Boston, MA 02109.

Dated: May 15, 2006

  
Donald J. Savery

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

**IN RE BIOPURE CORPORATION )  
SECURITIES LITIGATION )**

**Master Docket No. 1:03-CV-12628 (NG)**

**Assigned to Judge Nancy Gertner**


**BIOPURE CORPORATION'S NOTICE OF  
DEPOSITION OF EMILY A. BITTMAN**

PLEASE TAKE NOTICE THAT, pursuant to Rule 30 of the Federal Rules of Civil Procedure, Defendant Biopure Corporation will take the deposition upon oral examination of Plaintiff Emily A. Bittman on June 6, 2006 at 10:00 a.m., at the offices of Bingham McCutchen LLP, 150 Federal Street, Boston, Massachusetts 02110, before a notary public or other officer authorized by law to administer oaths. The deposition will be recorded stenographically and will continue from day to day until completed.

You are invited to attend and cross-examine.

Dated May 15, 2006

BIOPURE CORPORATION,  
By its attorneys,

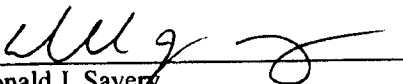
  
Robert A. Buhlman (BBO #554393)  
Donald J. Savery (BBO #564975)  
Michael Blanchard (BBO #636860)  
BINGHAM McCUTCHEN LLP  
150 Federal Street  
Boston, MA 02110-1276  
(617) 951-8000

Counsel for Defendant Biopure  
Corporation

**CERTIFICATE OF SERVICE**

I hereby certify that on May 15, 2006, I caused a true copy of the foregoing Notice of Deposition of Emily A. Bittman to be served by facsimile and mail upon Edward F. Haber, Esq., Shapiro, Haber & Urmy LLP, Exchange Place, 53 State Street, Boston, MA 02109.

Dated: May 15, 2006

  
Donald J. Saver

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

IN RE BIOPURE CORPORATION  
SECURITIES LITIGATION

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Master Docket No. 1:03-CV-12628 (NG)

Assigned to Judge Nancy Gertner

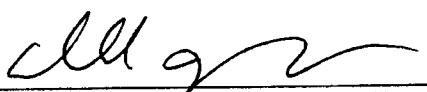
**BIOPURE CORPORATION'S NOTICE OF  
DEPOSITION OF JOHN G. ESPOSITO, JR.**

PLEASE TAKE NOTICE THAT, pursuant to Rule 30 of the Federal Rules of Civil Procedure, Defendant Biopure Corporation will take the deposition upon oral examination of Plaintiff John G. Esposito, Jr. on June 7, 2006 at 10:00 a.m., at the offices of Bingham McCutchen LLP, 150 Federal Street, Boston, Massachusetts 02110, before a notary public or other officer authorized by law to administer oaths. The deposition will be recorded stenographically and will continue from day to day until completed.

You are invited to attend and cross-examine.

Dated May 15, 2006

BIOPURE CORPORATION,  
By its attorneys,

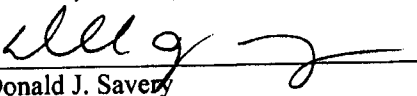
  
Robert A. Buhlman (BBO #554393)  
Donald J. Savery (BBO #564975)  
Michael Blanchard (BBO #636860)  
BINGHAM McCUTCHEN LLP  
150 Federal Street  
Boston, MA 02110-1276  
(617) 951-8000

Counsel for Defendant Biopure  
Corporation

**CERTIFICATE OF SERVICE**

I hereby certify that on May 15, 2006, I caused a true copy of the foregoing Notice of Deposition of John G. Esposito, Jr. to be served by facsimile and mail upon Edward F. Haber, Esq., Shapiro, Haber & Urmy LLP, Exchange Place, 53 State Street, Boston, MA 02109.

Dated: May 15, 2006

  
Donald J. Saverio

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

IN RE BIOPURE CORPORATION  
SECURITIES LITIGATION

) Master Docket No. 1:03-CV-12628 (NG)  
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Assigned to Judge Nancy Gertner

**BIOPURE CORPORATION'S NOTICE OF  
DEPOSITION OF STUART GOTTLIEB**

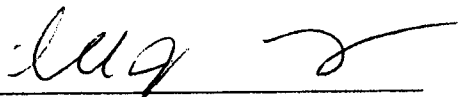
PLEASE TAKE NOTICE THAT, pursuant to Rule 30 of the Federal Rules of Civil Procedure, Defendant Biopure Corporation will take the deposition upon oral examination of Plaintiff Stuart Gottlieb on June 8, 2006 at 10:00 a.m., at the offices of Bingham McCutchen LLP, 150 Federal Street, Boston, Massachusetts 02110, before a notary public or other officer authorized by law to administer oaths. The deposition will be recorded stenographically and will continue from day to day until completed.

You are invited to attend and cross-examine.

Dated May 15, 2006

BIOPURE CORPORATION,

By its attorneys,

  
Robert A. Buhlman (BBO #554393)  
Donald J. Savery (BBO #564975)  
Michael Blanchard (BBO #636860)  
BINGHAM McCUTCHEN LLP  
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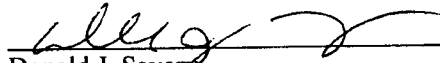
Counsel for Defendant Biopure  
Corporation



**CERTIFICATE OF SERVICE**

I hereby certify that on May 15, 2006, I caused a true copy of the foregoing Notice of Deposition of Stuart Gottlieb to be served by facsimile and mail upon Edward F. Haber, Esq., Shapiro, Haber & Urmy LLP, Exchange Place, 53 State Street, Boston, MA 02109.

Dated: May 15, 2006

  
Donald J. Saverio